

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**NORTHWEST INSULATION COMPANY, )  
INC., )**

**Plaintiff, )**

**v. )**

**Case No. CIV-23-681-J**

**MJ&H FABRICATION, INC., )**

**Defendant. )**

**COMPLAINT**

COMES NOW the Plaintiff, Northwest Insulation Company, Inc., by and through its undersigned attorneys, and for its Complaint against Defendant MJ&H Fabrication, Inc. states:

**PARTIES, VENUE AND JURISDICTION**

1. Plaintiff, Northwest Insulation Company, Inc. (“Northwest”), is a Texas corporation, a corporate citizen of that state, with its principal office in Amarillo, Texas.

2. Defendant, MJ&H Fabrication, Inc. (“MJ&H”), is an Oklahoma corporation, a corporate citizen in that state, with its principal office in Ponca City, Oklahoma.

3. The amount in controversy in this action exceeds \$75,000.00. There is complete diversity of citizenship among the parties. This Court has jurisdiction over the parties, all of whom did business in the State of Oklahoma, in specific connection cause of action herein expressed. This Court has jurisdiction over the subject matter of this suit pursuant to 28 USCA § 1332, based on complete diversity of citizenship and the amount in controversy expressed therein.

4. Venue properly lies with this Court pursuant to 28 U.S.C. § 1391(b)(1).

**GENERAL ALLEGATIONS**

5. Northwest is in the business of providing materials and experienced personnel for all phases of thermal and cryogenic insulation application, heat tracing systems, refractory and scaffolding.

6. MJ&H hired Northwest to provide labor, materials and supervision for painting services on an open account basis for one of its projects.

7. Northwest provided the requested labor, materials and supervision. It then submitted its Invoice No. 516844 for the same in the sum of \$165,991.00. A copy thereof is attached as Exhibit 1.

8. Payment of Invoice No. 516844 was due on March 25, 2023.

9. The entire past due balance of \$165,991.00 plus interest remains due and owing despite Northwest's several demands for payment.

WHEREFORE, PREMISES CONSIDERED, Northwest Insulation Company, Inc. requests entry of judgment in the amount of \$165,991.00 against MJ&H. It further requests judgment in the aggregate sum of its attorneys' fees and costs it will incur in this action.

Respectfully submitted,

DOERNER SAUNDERS DANIEL &  
ANDERSON

/s/J. Patrick Mensching

J. Patrick Mensching, OBA # 6136  
Two West Second Street, Suite 700  
Tulsa, Oklahoma 74103  
Telephone: (918) 591-5240  
Facsimile: (918) 925-5240

Email: [pmensching@dsda.com](mailto:pmensching@dsda.com)

*Attorneys for Northwest Insulation Company,  
Inc.*